

**Federal Operating Permit
Article 1**

This permit is based upon the requirements of Title V of the Federal Clean Air Act and Chapter 80, Article 1 of the Commonwealth of Virginia Regulations for the Control and Abatement of Air Pollution. Until such time as this permit is reopened and revised, modified, revoked, terminated or expires, the permittee is authorized to operate in accordance with the terms and conditions contained herein. This permit is issued under the authority of Title 10.1, Chapter 13, §10.1-1322 of the Air Pollution Control Law of Virginia. This permit is issued consistent with the Administrative Process Act, and 9 VAC 5-80-50 through 9 VAC 5-80-300 of the State Air Pollution Control Board Regulations for the Control and Abatement of Air Pollution of the Commonwealth of Virginia.

Authorization to operate a Stationary Source of Air Pollution as described in this permit is hereby granted to:

Permittee Name:	Howard Miller Clock Co., Ridgeway Furniture	Registration No:	30171
Facility Name:	Ridgeway Furniture	AIRS Number:	51-089-0066
Facility Location:	1131 Mica Road Ridgeway, Virginia	Permit Number:	WCRO-30171

December 16, 2005
Renewal Effective Date

December 15, 2010
Expiration Date

Robert G. Burnley
Director, Department of Environmental Quality

Signature Date

Permit consists of **25** pages
Attachment 1 - Furniture Finishing MACT (Subpart JJ)

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I. Facility Information

Permittee:

Howard Miller Clock Company, Ridgeway Furniture
860 East Main Street
Zeeland MI 49464

Responsible Official:

Bobby J. Mitchell
Plant Manager

Facility:

Ridgeway Furniture
1131 Mica Road
Ridgeway VA 24148

Contact Person:

Beverly Hall
Engineering Services
276/956-3111

County-Plant Identification Number: 51-089-0066

Facility Description: NAICS 337122 (Formerly SIC 2511) – Howard Miller Clock Company, Ridgeway Furniture manufactures wooden curios. The original source registration was received on July 5, 1972 for Gravely Furniture Company, Inc. The plant changed ownership to Pulaski Furniture in 1985 and then changed again to Howard Miller Clock Company in 2004. The facility consists of two small woodwaste/#2 fuel oil boilers and various woodworking and finishing equipment as well as lumber drying kilns.

Production has decreased at the facility and they are now making curios instead of clocks. The lumber drying kilns are not being used at this time and may be removed in the near future. Woodworking operations have been streamlined since they receive cut stock instead of raw lumber. All woodworking operations are vented to one of eight fabric filters. Finishing operations in the spray booths have been decreased to incorporate fewer coats of stain and lacquer.

The facility has one minor NSR permit issued on 12/23/1998 for an edge filler spray booth. Finishing operations at this facility are subject to the requirements of the Furniture Finishing MACT (Subpart JJ).

The original Title V Operating Permit was issued to this facility on December 11, 2000. This is the first Title V renewal.

II. Emission Units

Equipment to be operated consists of:

Emission Unit ID	Emission Unit Description	Capacity/Size	Pollution Control Device (PCD)	PCD ID	Applicable Permit
Fuel Burning Equipment Subject to 9 VAC 5 Chapter 40 (Existing)					
ES-1	Union Iron Works boiler	7 MMBtu/hr	multicyclone	CD-8	N/A
ES-2	Union Iron Works boiler	7 MMBtu/hr	multicyclone	CD-9	N/A
Woodworking Equipment Subject to 9 VAC 5 Chapter 40 (Existing)					
ES-4	miscellaneous woodworking	varies	fabric filter (8)	CD 1-7a	N/A
Furniture Finishing Equipment Subject to 9 VAC 5 Chapter 40 (Existing)					
ES-3	spray booths (11)	varies	none	N/A	N/A
Furniture Finishing Equipment Subject to 9 VAC 5 Chapter 50 (New or Modified)					
ES-6	edge filler spray booth	1 gallon/hour	fiberglass filters	N/A	12/23/98

*The Size/Rated capacity is provided for informational purposes only, and is not an applicable requirement.

III. Fuel Burning Equipment Requirements – (ES-1 and ES-2)

Subject to initial notification requirement only for Industrial Boiler MACT (Subpart DDDDD)

A. Limitations

1. Emissions from the operation of *each* of the Union Iron Works boilers (ES-1, 2) shall not exceed the limits specified below:

Particulate Matter	0.55 lbs/MMBtu
Sulfur Dioxide	18.48 lbs/hr

(9 VAC 5-40-900A.1.b, 9 VAC 5-40-930A.1 and 9 VAC 5-80-110)

2. Particulate emissions from each of the Union Iron Works boilers (ES-1, 2) shall be controlled by a multicyclone (CD-8, 9).

(9 VAC 5-40-20, 9 VAC 5-80-110 and 9 VAC 5-170-160)

3. The approved fuels for the Union Iron Works boiler (ES-1, 2) are woodwaste and No. 2 fuel oil. No. 2 fuel oil is defined as fuel oil that meets the specifications for fuel oil number 2 under the American Society for Testing and Materials, "Standard Specification for Fuel Oils". The permitted facility may switch from one of these

approved fuels to another approved fuel without notification. A change to a fuel not listed above may require a permit modification.
(9 VAC 5-80-110 B and 9 VAC 5-170-160)

4. Visible emissions from each of the Union Iron Works boiler (ES-1, 2) stacks shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.
(9 VAC 5-40-80, 9 VAC 5-40-20 A.3 and 9 VAC 5-80-110)

B. Maintenance/Operating Procedures

1. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the Union Iron Works boilers (ES-1, 2) and multicyclones (CD-8, 9):
 - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance for the boilers (ES-1, 2) and multicyclones (CD-8, 9).
 - b. Develop an inspection schedule, monthly at a minimum, to insure operational integrity of the boilers (ES-1, 2) and multicyclones (CD-8, 9) and maintain records of inspection results.
 - c. Have available written operating procedures for the boilers (ES-1, 2) and multicyclones (CD-8, 9). These procedures shall be based on the manufacturer's recommendations, at minimum, if such recommendations exist.
 - d. Train operators in the proper operation of the boilers (ES-1, 2) and multicyclones (CD-8, 9) and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

(9 VAC 5-80-110 K, 9 VAC 5-80-110 F; 9 VAC 5-170-160)

C. Monitoring and Recordkeeping

1. At least one time per month, an observation of the presence of visible emissions from each operating Union Iron Works boiler (ES-1, 2) stack shall be made. If visible emissions are observed the permittee shall:
 - a. take timely corrective action such that the boiler resumes operation with no visible emissions, or,
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the boilers are 20 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If

any of the observations exceed twenty percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the boiler resumes operation with visible emissions of 20 percent or less.

(9 VAC 5-80-110 E)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the West Central Regional Office. These records shall include, but not limited to the following:
 - a. a boiler observation log for the Union Iron Works boilers (ES-1, 2) to include the date and time of visual observations, the name of the observer, whether or not there were visible emissions, any VEE recordings and any necessary corrective action,
 - b. the annual combustion of each fuel (wood in tons, fuel oil in gallons) in the Union Iron Works boilers (ES-1, 2), calculated monthly as the sum of each consecutive 12-month period, and
 - c. verification that the sulfur content for each shipment of No. 2 fuel oil to be burned in the Union Iron Works boilers (ES-1, 2) meets ASTM specifications for No. 1 or No. 2 fuel oil.

These records shall be maintained on site by the permittee for the most current five-year period.

(9 VAC 5-40-1010 and 9 VAC 5-80-110)

D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from DEQ, test ports shall be provided at the appropriate locations.
(9 VAC 5-40-30 and 9 VAC 5-80-110)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
SO ₂	EPA Method 6
PM/PM-10	EPA Methods 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

E. Reporting

see Section XI.C.
(9 VAC 5-40-50 and 9 VAC 5-80-110)

IV. Woodworking Equipment Requirements – (ES 4)

Subject to initial notification requirement only for Particleboard MACT (Subpart DDDD)

A. Limitations

1. Emissions from the operation of the woodworking equipment (ES-4) shall not exceed the limits specified below:

Particulate Matter 0.05 gr/scf exhaust gas

(9 VAC 5-40-2270.B and 9 VAC 5-80-110)

2. Emissions from the operation of the woodworking equipment (ES-4) shall be controlled by eight fabric filters (CD1 - 7a).
(9 VAC 5-40-20, 9 VAC 5-80-110 and 9 VAC 5-170-160)
3. Visible emissions from the fabric filters (CD1 - 7a) associated with woodworking equipment (ES-4) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity.
(9 VAC 5-40-80, 9 VAC 5-40-20 and 9 VAC 5-80-110)

B. Maintenance/Operating Procedures

1. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
 - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Develop an inspection schedule, monthly at a minimum, to insure operational integrity of the fabric filters (CD1 - 7a) and maintain records of inspection results.
 - c. Have available written operating procedures for the fabric filters (CD1 - 7a). These procedures shall be based on the manufacturer's recommendations, at minimum, if such recommendations exist.
 - d. Train operators in the proper operation of the fabric filters (CD1 - 7a) and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.

- e. Maintain an inventory of spare parts that are needed to minimize durations of fabric filter breakdowns.

(9 VAC 5-80-110 K, 9 VAC 5-80-110 F; 9 VAC 5-170-160)

C. Monitoring and Recordkeeping

1. At least once per month, an observation of the presence of visible emissions from fabric filters (CD1 - 7a) associated with woodworking equipment (ES-4) shall be made. If visible emissions are observed the permittee shall:
 - a. take timely corrective action such that the fabric filter resumes operation with no visible emissions, or,
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the fabric filter are 20 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed twenty percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the fabric filter resumes operation with visible emissions of 20 percent or less.

The permittee shall maintain a fabric filter observation log to demonstrate compliance. The log shall include the date and time of the observations, the name of the observer, whether or not there were visible emissions, and any necessary corrective action.

(9 VAC 5-80-110 E)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the West Central Regional Office. These records shall include, but not limited to the results of the monthly visible observation of emission points associated with the woodworking operations, as specified in Condition IV.C.1., along with any corrective actions. These records shall be maintained on site by the permittee for the most current five-year period.
(9 VAC 5-50-50, 9 VAC 5-40-2350 and 9 VAC 5-80-110)

D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from DEQ, test ports shall be provided at the appropriate locations.
(9 VAC 5-40-30 and 9 VAC 5-80-110)
2. If testing is conducted in addition to the monitoring specified in this permit, the

permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
PM/PM-10	EPA Method 5, 17
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

E. Reporting

see Section XI.C.

(9 VAC 5-40-50 and 9 VAC 5-80-110)

V. Edge Filler Spray Booth Requirements – (ES 6)

Subject to Furniture Finishing MACT (Subpart JJ) - see Attachment 1

A. Limitations

1. Emissions from the operation of the edge filler spray booth (ES-6) shall not exceed the limits specified below:

Volatile Organic Compounds 5.2 lb/hr 5.1 tons/yr

(9 VAC 5-80-110 B, 9 VAC 5-50-20, and Condition 6, Permit dated 12/23/1998)

2. Particulate emissions from the edge filler spray booth (ES-6) shall be controlled by fiberglass filters or equivalent controls as approved by the West Central Regional Office. The edge filler spray booth shall be provided with adequate access for inspection. The edge filler spray booth shall be equipped with a device to continuously measure the differential pressure drop across the fiberglass filters. The device shall be installed in an accessible location and shall be maintained by the permittee such that it is in proper working order at all times.
(9 VAC 5-80-110 C, and Condition 3, Permit dated 12/23/1998)
3. The edge filler spray booth (ES-6) shall consume no more than 1,960 gallons per year of lacquer edge filler. The annual throughput shall be calculated monthly as the sum of each consecutive 12-month period.
(9 VAC 5-80-110 A, 9 VAC 5-80-110 B, and Condition 5, Permit dated 12/23/1998)
4. Visible emissions from the edge filler spray booth (ES-6) exhaust shall not exceed five (5) percent opacity as determined by EPA Method 9 (reference 40 CFR 60, Appendix A). This condition applies at all times except during startup, shutdown and malfunction.
(9 VAC 5-80-110 K, 9 VAC 5-50-80 and Condition 7, Permit dated 12/23/1998)

B. Maintenance/Operating Procedures

1. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to air pollution control equipment and process equipment which affect such emissions:
 - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Develop an inspection schedule, monthly at a minimum, to insure operational integrity of the spray booth (ES-6) and fiberglass filters and maintain records of inspection results.
 - c. Have available written operating procedures for the edge filler spray booth (ES-6). These procedures shall be based on the manufacturer's recommendations, at minimum, if such recommendations exist.
 - d. Train operators in the proper operation of the edge filler spray booth (ES-6) and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.
 - e. Maintain an inventory of spare parts that are needed to minimize durations of air pollution control equipment breakdowns.

(9 VAC 5-80-110 K, 9 VAC 5-80-110 F; 9 VAC 5-170-160; Conditions 14 and 15, Permit dated 12/23/1998)

C. Monitoring and Recordkeeping

1. At least once per month an observation of the presence of visible emissions from the edge filler spray booth (ES-6) exhaust shall be made. If visible emissions are observed the permittee shall:
 - a. take timely corrective action such that the edge filler spray booth resumes operation with no visible emissions, or,
 - b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the edge filler spray booth are 5 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed five percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the edge filler spray booth resumes operation with visible emissions of 5 percent or less.

The permittee shall maintain an edge filler spray booth (ES-6) exhaust observation log to demonstrate compliance. The log shall include the date and time of the observations, the name of the observer, whether or not there were visible emissions, and any necessary corrective action.

(9 VAC 5-80-110 E)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. The content of and format of such records shall be arranged with the West Central Regional Office. These records shall include, but not limited to the following:
 - a. The annual throughput of lacquer edge filler, in gallons. Annual throughput shall be calculated monthly as the sum of each consecutive 12-month period.
 - b. A monthly and annual material balance including the throughput and emissions of VOCs. Annual throughput and emissions shall be calculated monthly as the sum of each consecutive 12-month period.
 - c. Results of the monthly visible observation of the edge filler spray booth (ES-6) as specified in Condition V.C.1., along with any corrective actions.

The content of and format of such records shall be arranged with the West Central Regional Office. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-170-160, 9 VAC 5-50-50, 9 VAC 5-80-110 and Conditions 5 & 10, Permit dated 12/23/1998)

D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from DEQ, test ports shall be provided at the appropriate locations.
(9 VAC 5-50-30 and 9 VAC 5-80-110)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
VOC Content	EPA Methods 24, 24a
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

E. Reporting

see Section XI.C.
(9 VAC 5-50-50 and 9 VAC 5-80-110)

VI. Finishing Requirements – (ES 3)

Subject to Furniture Finishing MACT (Subpart JJ) - see Attachment 1

A. Limitations

1. Visible emissions from each of the eleven spray booths of the furniture finishing operations (ES-3) shall not exceed 20 percent opacity except during one six-minute period in any one hour in which visible emissions shall not exceed 60 percent opacity. (9 VAC 5-40-80, 9 VAC 5-40-20 A.3. and 9 VAC 5-80-110)

B. Maintenance/Operating Procedures

1. The permittee shall take the following measures in order to minimize the duration and frequency of excess emissions, with respect to the process equipment which affect such emissions:
 - a. Develop a maintenance schedule and maintain records of all scheduled and non-scheduled maintenance.
 - b. Have available written operating procedures for the eleven spray booths (ES-3). These procedures shall be based on the manufacturer's recommendations, at minimum, if such recommendations exist.
 - c. Train operators in the proper operation of the eleven spray booths (ES-3) and familiarize the operators with the written operating procedures. The permittee shall maintain records of the training provided including the names of trainees, the date of training and the nature of the training.
 - d. Maintain an inventory of spare parts that are needed to minimize durations of equipment breakdowns.

(9 VAC 5-80-110 and 9 VAC 5-170-160)

C. Monitoring and Recordkeeping

1. At least once per month an observation of the presence of visible emissions from the spray booth stacks (ES-3) shall be made. If visible emissions are observed the permittee shall:
 - a. take timely corrective action such that the affected process resumes operation with no visible emissions, or,

- b. perform a visible emission evaluation (VEE) in accordance with 40 CFR 60, Appendix A, Method 9 to assure visible emissions from the affected process are 20 percent opacity or less. The VEE shall be conducted for a minimum of six minutes. If any of the observations exceed twenty percent, the VEE shall be conducted for a total of 60 minutes. If compliance is not demonstrated by this VEE, timely corrective action shall be taken such that the affected process resumes operation with visible emissions of 20 percent or less.

The permittee shall maintain a spray booth observation log to demonstrate compliance. The log shall include the date and time of the observations, the name of the observer, whether or not there were visible emissions, and any necessary corrective action.
(9 VAC 5-80-110 and 9 VAC 5-170-160)

2. The permittee shall maintain records of all emission data and operating parameters necessary to demonstrate compliance with this permit. These records shall include, but are not limited to:
 - a. Results of the monthly visible observation of the spray booth stacks (ES-3) as specified in Condition VI.C.1, along with any corrective actions.

The content of and format of such records shall be arranged with the West Central Regional Office. These records shall be available on site for inspection by the DEQ and shall be current for the most recent five (5) years.

(9 VAC 5-40-50 and 9 VAC 5-80-110)

D. Testing

1. The permitted facility shall be constructed so as to allow for emissions testing at any time using appropriate methods. Upon request from DEQ, test ports shall be provided at the appropriate locations.
(9 VAC 5-40-30 and 9 VAC 5-80-110)
2. If testing is conducted in addition to the monitoring specified in this permit, the permittee shall use the following test methods in accordance with procedures approved by the DEQ as follows:

Pollutant	Test Method (40 CFR Part 60, Appendix A)
VOC	EPA Methods 18, 25, 25a
Visible Emission	EPA Method 9

(9 VAC 5-80-110)

E. Reporting

see Section XI.C.

(9 VAC 5-40-50 and 9 VAC 5-80-110)

VII. Insignificant Emission Units

The following emission units at the facility are identified in the application as insignificant emission units under 9 VAC 5-80-720:

Emission Unit No.	Emission Unit Description	Pollutant(s) Emitted (9 VAC 5-80-720 B)	Rated Capacity (9 VAC 5-80-720 C)
ES-5	Lumber Dry Kilns	VOC	110,000 bd ft/wk
ES-7	enclosed woodwaste loadout	PM	varies
ES-8	#2 fuel oil UST	VOC	20,000 gallons
ES-10	gluing operations	VOC	varies

These emission units are presumed to be in compliance with all requirements of the federal Clean Air Act as may apply. Based on this presumption, no monitoring, recordkeeping, or reporting shall be required for these emission units in accordance with 9 VAC 5-80-110.

VIII. Compliance Plan

Not Applicable

IX. Applicable MACT Requirements

This facility is subject to the requirements of the Furniture Finishing MACT (Subpart JJ) as specified in Attachment 1.
(9 VAC 5-80-110)

X. Permit Shield & Inapplicable Requirements

Compliance with the provisions of this permit shall be deemed compliance with all applicable requirements in effect as of the permit issuance date as identified in this permit. This permit shield covers only those applicable requirements covered by terms and conditions in this permit and the following requirements which have been specifically identified as being not applicable to this permitted facility:

Citation	Title of Citation	Description of Applicability
40 CFR 64	Compliance Assurance Monitoring (CAM)	no non-MACT processes have >100tpy pollutant potential
40 CFR 70 Subpart DDDDD	Boiler MACT	notification only
40 CFR 70 Subpart DDDD	Particleboard MACT	notification only

Nothing in this permit shield shall alter the provisions of §303 of the federal Clean Air Act, including the authority of the administrator under that section, the liability of the owner for any violation of applicable requirements prior to or at the time of permit issuance, or the ability to obtain information by the administrator pursuant to §114 of the federal Clean Air Act, (ii) the Board pursuant to §10.1-1314 or §10.1-1315 of the Virginia Air Pollution Control Law or (iii) the Department pursuant to §10.1-1307.3 of the Virginia Air Pollution Control Law.
(9 VAC 5-80-140)

XI. General Conditions

A. Federal Enforceability

All terms and conditions in this permit are enforceable by the administrator and citizens under the federal Clean Air Act, except those that have been designated as only state-enforceable.

(9 VAC 5-80-110 N)

B. Permit Expiration

This permit has a fixed term of five years. The expiration date shall be the date five years from the date of issuance. Unless the owner submits a timely and complete application for renewal to the Department consistent with the requirements of 9 VAC 5-80-80, the right of the facility to operate shall be terminated upon permit expiration.

1. The owner shall submit an application for renewal at least six months but no earlier than eighteen months prior to the date of permit expiration.
2. If an applicant submits a timely and complete application for an initial permit or renewal under this section, the failure of the source to have a permit or the operation of the source without a permit shall not be a violation of Article 1, Part II of 9 VAC 5 Chapter 80, until the Board takes final action on the application under 9 VAC 5-80-150.
3. No source shall operate after the time that it is required to submit a timely and complete application under subsections C and D of 9 VAC 5-80-80 for a renewal permit, except in compliance with a permit issued under Article 1, Part II of 9 VAC 5 Chapter 80.
4. If an applicant submits a timely and complete application under section 9 VAC 5-80-80 for a permit renewal but the Board fails to issue or deny the renewal permit before the end of the term of the previous permit, (i) the previous permit shall not expire until the renewal permit has been issued or denied and (ii) all the terms and conditions of the previous permit, including any permit shield granted pursuant to 9 VAC 5-80-140, shall remain in effect from the date the application is determined to be complete until the renewal permit is issued or denied.
5. The protection under subsections F 1 and F 5 (ii) of section 9 VAC 5-80-80 F shall cease to apply if, subsequent to the completeness determination made pursuant section 9 VAC 5-80-80 D, the applicant fails to submit by the deadline specified in writing by the Board any additional information identified as being needed to process the application.

(9 VAC 5-80-80 B, C and F, 9 VAC 5-80-110 D and 9 VAC 5-80-170 B)

C. Recordkeeping and Reporting

1. All records of monitoring information maintained to demonstrate compliance with the terms and conditions of this permit shall contain, where applicable, the following:
 - a. The date, place as defined in the permit, and time of sampling or measurements.
 - b. The date(s) analyses were performed.
 - c. The company or entity that performed the analyses.
 - d. The analytical techniques or methods used.
 - e. The results of such analyses.
 - f. The operating conditions existing at the time of sampling or measurement.

(9 VAC 5-80-110 F)

2. Records of all monitoring data and support information shall be retained for at least five years from the date of the monitoring sample, measurement, report, or application. Support information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit.

(9 VAC 5-80-110 F)

3. The permittee shall submit the results of monitoring contained in any applicable requirement to DEQ no later than March 1 and September 1 of each calendar year. This report must be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

- a. The time period included in the report. The time periods to be addressed are January 1 to June 30 and July 1 to December 31.
- b. All deviations from permit requirements. For purposes of this permit, deviations include, but are not limited to:

(1) Exceedance of emissions limitations or operational restrictions;

(2) Excursions from control device operating parameter requirements, as documented by continuous emission monitoring, periodic monitoring, or compliance assurance monitoring which indicates an exceedance of emission limitations or operational restrictions; or,

(3) Failure to meet monitoring, recordkeeping, or reporting requirements contained

in this permit.

- c. If there were no deviations from permit conditions during the time period, the permittee shall include a statement in the report that “no deviations from permit requirements occurred during this semi-annual reporting period.”

(9 VAC 5-80-110 F)

D. Annual Compliance Certification

Exclusive of any reporting required to assure compliance with the terms and conditions of this permit or as part of a schedule of compliance contained in this permit, the permittee shall submit to EPA and DEQ no later than March 1 each calendar year a certification of compliance with all terms and conditions of this permit including emission limitation standards or work practices. The compliance certification shall comply with such additional requirements that may be specified pursuant to §114(a)(3) and §504(b) of the federal Clean Air Act. This certification shall be signed by a responsible official, consistent with 9 VAC 5-80-80 G, and shall include:

1. The time period included in the certification. The time period to be addressed is January 1 to December 31.
2. The identification of each term or condition of the permit that is the basis of the certification.
3. The compliance status.
4. Whether compliance was continuous or intermittent, and if not continuous, documentation of each incident of non-compliance.
5. Consistent with subsection 9 VAC 5-80-110 E, the method or methods used for determining the compliance status of the source at the time of certification and over the reporting period.
6. Such other facts as the permit may require to determine the compliance status of the source.
7. One copy of the annual compliance certification shall be sent to EPA at the following address:
Clean Air Act Title V Compliance Certification (3AP00)
U. S. Environmental Protection Agency, Region III
1650 Arch Street
Philadelphia, PA 19103-2029
8. One copy of the annual compliance certification shall be sent to DEQ at the following address:

DEQ, West Central Regional Office
Air Compliance Manager
3019 Peters Creek Road
Roanoke VA 24019

(9 VAC 5-80-110 K.5)

E. Permit Deviation Reporting

The permittee shall notify the Director, West Central Region within four daytime business hours after discovery of any deviations from permit requirements which may cause excess emissions for more than one hour, including those attributable to upset conditions as may be defined in this permit. In addition, within 14 days of the discovery, the permittee shall provide a written statement explaining the problem, any corrective actions or preventative measures taken, and the estimated duration of the permit deviation. The occurrence should also be reported in the next semi-annual compliance monitoring report pursuant to General Condition IX.C.3. of this permit.

(9 VAC 5-80-110 F.2 and 9 VAC 5-80-250)

F. Failure/Malfunction Reporting

In the event that any affected facility or related air pollution control equipment fails or malfunctions in such a manner that may cause excess emissions for more than one hour, the owner shall, as soon as practicable but no later than four daytime business hours after the malfunction is discovered, notify the Director, West Central Region by facsimile transmission, telephone or telegraph of such failure or malfunction and shall within 14 days of discovery provide a written statement giving all pertinent facts, including the estimated duration of the breakdown. When the condition causing the failure or malfunction has been corrected and the equipment is again in operation, the owner shall notify the Director, West Central Region.

(9 VAC 5-20-180 C)

G. Severability

The terms of this permit are severable. If any condition, requirement or portion of the permit is held invalid or inapplicable under any circumstance, such invalidity or inapplicability shall not affect or impair the remaining conditions, requirements, or portions of the permit.

(9 VAC 5-80-110 G.1)

H. Duty to Comply

The permittee shall comply with all terms and conditions of this permit. Any permit noncompliance constitutes a violation of the federal Clean Air Act or the Virginia Air Pollution Control Law or both and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or, for denial of a permit renewal application.

(9 VAC 5-80-110 G.2)

I. Need to Halt or Reduce Activity not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
(9 VAC 5-80-110 G.3)

J. Permit Modification

A physical change in, or change in the method of operation of, this stationary source may be subject to permitting under State Regulations 9 VAC 5-80-50, 9 VAC 5-80-1100, 9 VAC 5-80-1790, or 9 VAC 5-80-2000 and may require a permit modification and/or revisions except as may be authorized in any approved alternative operating scenarios.
(9 VAC 5-80-190 and 9 VAC 5-80-260)

K. Property Rights

The permit does not convey any property rights of any sort, or any exclusive privilege.
(9 VAC 5-80-110 G.5)

L. Duty to Submit Information

1. The permittee shall furnish to the Board, within a reasonable time, any information that the Board may request in writing to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit. Upon request, the permittee shall also furnish to the Board copies of records required to be kept by the permit and, for information claimed to be confidential, the permittee shall furnish such records to the Board along with a claim of confidentiality.
(9 VAC 5-80-110 G.6)
2. Any document (including reports) required in a permit condition to be submitted to the Board shall contain a certification by a responsible official that meets the requirements of 9 VAC 5-80-80 G.
(9 VAC 5-80-110 K.1)

M. Duty to Pay Permit Fees

The owner of any source for which a permit under 9 VAC 5-80-50 through 9 VAC 5-80-300 was issued shall pay permit fees consistent with the requirements of 9 VAC 5-80-310 through 9 VAC 5-80-350. The actual emissions covered by the permit program fees for the preceding year shall be calculated by the owner and submitted to the Department by April 15 of each year. The calculations and final amount of emissions are subject to verification and final determination by the Department.
(9 VAC 5-80-110 H and 9 VAC 5-80-340 C)

N. Fugitive Dust Emission Standards

During the operation of a stationary source or any other building, structure, facility, or installation, no owner or other person shall cause or permit any materials or property to be

handled, transported, stored, used, constructed, altered, repaired, or demolished without taking reasonable precautions to prevent particulate matter from becoming airborne. Such reasonable precautions may include, but are not limited to, the following:

1. Use, where possible, of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads, or the clearing of land;
2. Application of asphalt, water, or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which may create airborne dust; the paving of roadways and the maintaining of them in a clean condition;
3. Installation and use of hoods, fans, and fabric filters to enclose and vent the handling of dusty material. Adequate containment methods shall be employed during sandblasting or other similar operations;
4. Open equipment for conveying or transporting material likely to create objectionable air pollution when airborne shall be covered or treated in an equally effective manner at all times when in motion; and,
5. The prompt removal of spilled or tracked dirt or other materials from paved streets and of dried sediments resulting from soil erosion.

(9 VAC 5-40-90 and 9 VAC 5-50-90)

O. Startup, Shutdown, and Malfunction

At all times, including periods of startup, shutdown, soot blowing, and malfunction, owners shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with air pollution control practices for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Board, which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

(9 VAC 5-50-20 E and 9 VAC 5-40-20 E)

P. Alternative Operating Scenarios

Contemporaneously with making a change between reasonably anticipated operating scenarios identified in this permit, the permittee shall record in a log at the permitted facility a record of the scenario under which it is operating. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions under each such operating scenario. The terms and conditions of each such alternative scenario shall meet all applicable requirements including the requirements of 9 VAC 5 Chapter 80, Article 1.

(9 VAC 5-80-110 J)

Q. Inspection and Entry Requirements

The permittee shall allow DEQ, upon presentation of credentials and other documents as may be required by law, to perform the following:

1. Enter upon the premises where the source is located or emissions-related activity is conducted, or where records must be kept under the terms and conditions of the permit.
2. Have access to and copy, at reasonable times, any records that must be kept under the terms and conditions of the permit.
3. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit.
4. Sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit or applicable requirements.

(9 VAC 5-80-110 K.2)

R. Reopening For Cause

The permit shall be reopened by the Board if additional federal requirements become applicable to a major source with a remaining permit term of three years or more. Such reopening shall be completed no later than 18 months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to 9 VAC 5-80-80 F.

1. The permit shall be reopened if the Board or the administrator determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit.
2. The permit shall be reopened if the administrator or the Board determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
3. The permit shall not be reopened by the Board if additional applicable state requirements become applicable to a major source prior to the expiration date established under 9 VAC 5-80-110 D.

(9 VAC 5-80-110 L)

S. Permit Availability

Within five days after receipt of the issued permit, the permittee shall maintain the permit on the premises for which the permit has been issued and shall make the permit

immediately available to DEQ upon request.
(9 VAC 5-80-150 E)

T. Transfer of Permits

1. No person shall transfer a permit from one location to another, unless authorized under 9 VAC 5-80-130, or from one piece of equipment to another.
2. In the case of a transfer of ownership of a stationary source, the new owner shall comply with any current permit issued to the previous owner. The new owner shall notify the Board of the change in ownership within 30 days of the transfer and shall comply with the requirements of 9 VAC 5-80-200.
3. In the case of a name change of a stationary source, the owner shall comply with any current permit issued under the previous source name. The owner shall notify the Board of the change in source name within 30 days of the name change and shall comply with the requirements of 9 VAC 5-80-200.

(9 VAC 5-80-160)

U. Malfunction as an Affirmative Defense

1. A malfunction constitutes an affirmative defense to an action brought for noncompliance with technology-based emission limitations if the requirements of paragraph 2 of this condition are met.
2. The affirmative defense of malfunction shall be demonstrated by the permittee through properly signed, contemporaneous operating logs, or other relevant evidence that show the following:
 - a. A malfunction occurred and the permittee can identify the cause or causes of the malfunction.
 - b. The permitted facility was at the time being properly operated.
 - c. During the period of the malfunction the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit.
 - d. The permittee notified the board of the malfunction within two working days following the time when the emission limitations were exceeded due to the malfunction. This notification shall include a description of the malfunction, any steps taken to mitigate emissions, and corrective actions taken. The notification may be delivered either orally or in writing. The notification may be delivered by electronic mail, facsimile transmission, telephone, or any other method that allows

the permittee to comply with the deadline. This notification fulfills the requirements of 9 VAC 5-80-110 F 2 b to report promptly deviations from permit requirements. This notification does not release the permittee from the malfunction reporting requirement under 9 VAC 5-20-180 C.

- e. In any enforcement proceeding, the permittee seeking to establish the occurrence of a malfunction shall have the burden of proof.
- f. The provisions of this section are in addition to any malfunction, emergency or upset provision contained in any applicable requirement.

(9 VAC 5-80-250)

V. Permit Revocation or Termination for Cause

A permit may be revoked or terminated prior to its expiration date if the owner knowingly makes material misstatements in the permit application or any amendments thereto or if the permittee violates, fails, neglects or refuses to comply with the terms or conditions of the permit, any applicable requirements, or the applicable provisions of 9 VAC 5 Chapter 80 Article 1. The Board may suspend, under such conditions and for such period of time as the Board may prescribe any permit for any of the grounds for revocation or termination or for any other violations of these regulations.

(9 VAC 5-80-260)

W. Duty to Supplement or Correct Application

Any applicant who fails to submit any relevant facts or who has submitted incorrect information in a permit application shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrections. An applicant shall also provide additional information as necessary to address any requirements that become applicable to the source after the date a complete application was filed but prior to release of a draft permit.

(9 VAC 5-80-80 E)

X. Stratospheric Ozone Protection

If the permittee handles or emits one or more Class I or II substances subject to a standard promulgated under or established by Title VI (Stratospheric Ozone Protection) of the federal Clean Air Act, the permittee shall comply with all applicable sections of 40 CFR Part 82, Subparts A to F.

(40 CFR Part 82, Subparts A-F)

Y. Asbestos Requirements

The permittee shall comply with the requirements of National Emissions Standards for Hazardous Air Pollutants (40 CFR 61) Subpart M, National Emission Standards for Asbestos as it applies to the following: Standards for Demolition and Renovation (40 CFR 61.145), Standards for Insulating Materials (40 CFR 61.148), and Standards for Waste Disposal (40 CFR 61.150).

(9 VAC 5-60-70 and 9 VAC 5-80-110 A.1)

Z. Accidental Release Prevention

If the permittee has more, or will have more than a threshold quantity of a regulated substance in a process, as determined by 40 CFR 68.115, the permittee shall comply with the requirements of 40 CFR Part 68.
(40 CFR Part 68)

AA. Changes to Permits for Emissions Trading

No permit revision shall be required under any federally approved economic incentives, marketable permits, emissions trading and other similar programs or processes for changes that are provided for in this permit.
(9 VAC 5-80-110 I)

BB. Emissions Trading

Where the trading of emissions increases and decreases within the permitted facility is to occur within the context of this permit and to the extent that the regulations provide for trading such increases and decreases without a case-by-case approval of each emissions trade:

1. All terms and conditions required under 9 VAC 5-80-110, except subsection N, shall be included to determine compliance.
2. The permit shield described in 9 VAC 5-80-140 shall extend to all terms and conditions that allow such increases and decreases in emissions.
3. The owner shall meet all applicable requirements including the requirements of 9 VAC 5-80-50 through 9 VAC 5-80-300.

(9 VAC 5-80-110 I)

XII. State-Only Enforceable Requirements

not applicable